

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

**Presentment Date: April 17, 2009**  
**Time: 12:00 P.M.**

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In re

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SYLVIA NUER,

: Chapter 7

Debtor.

: Case No. 08-14106 (REG)

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x

**NOTICE OF PRESENTMENT OF ORDER  
REMOVING THE LAW OFFICES OF LINDA M. TIRELLI, ESQ.  
AS SPECIAL COUNSEL TO THE TRUSTEE**

**PLEASE TAKE NOTICE** that, upon the application of David R. Kittay, the Chapter 7 trustee (the “Trustee”) of the bankruptcy estate of the above-captioned debtor, dated March 25, 2009, the annexed proposed Order Withdrawing the Law Offices of Linda M. Tirelli, Esq. as Special Counsel to the Trustee will be presented for signature to the Honorable Robert E. Gerber, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York on April 17, 2009 at 12:00 p.m. The relief sought in the proposed order is the withdrawal of the Law Offices of Linda M. Tirelli, Esq. as special counsel to the trustee, pursuant to Section 327, Chapter 3, Title 11 of the United States Code, Disciplinary Rule 2-110 of the Code of Professional Responsibility and Local Rule 2090-1 for the United States Bankruptcy Court for the Southern District of New York, together with such other and further relief as this Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that objections filed by parties with legal representation shall be filed: (a) (i) through the Bankruptcy Court’s electronic filing system (in accordance with General Order M-182), which may be accessed (with a password which is available by contacting the Bankruptcy Court’s technical assistance number at (212) 668-2870,

ext. 3522, available Monday through Friday, 8:30 a.m. through 5:00 p.m.) through the Internet at the Bankruptcy Court's website: <http://www.nysb.uscourts.gov> using Netscape Navigator software 3.0 or higher, and (ii) in portable document format (PDF) using Adobe Acrobat Exchange software for conversion; or (b) if a party is unable to file electronically, such party shall submit the objection in PDF format on a diskette in an envelope with the case name, case number, type and title of the document, document number of the document to which the objection refers and the file name on the outside of the envelope; or (c) if a party is unable to electronically file or use the PDF format, such party shall submit the objection on a diskette in either Word, WordPerfect or DOS text (ASCII) format.

**PLEASE TAKE FURTHER NOTICE** that if written objection is timely filed, the Court will notify the moving and objecting parties of the date and time of the hearing. The moving and objecting parties are required to attend said hearing and failure to attend in person or by counsel may result in relief being granted or denied on default.

Dated: Tarrytown, New York  
March 25, 2009

KITTAY & GERSHFELD, P.C.  
Attorneys for Trustee of the Estate of Silvia Nuer

By: /s/ Michelle G. Gershfeld  
Michelle G. Gershfeld  
100 White Plains Road, 2<sup>nd</sup> Floor  
Tarrytown, New York 10591  
(914) 332-8000